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Attorney for Defendants
Municipality of Anchorage
Andrew Cottle
Gregory Witte
Kenneth McCoy

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

PATRICK L. SHORTY

Plaintiff,

vs.

MUNICIPALITY OF ANCHORAGE, OFFICER
ANDREW COTTLE, INDIVIDUALLY AND IN
HIS CAPACITY AS AN ANCHORAGE POLICE
OFFICER, OFFICER WITTE, INDIVIDUALLY
AND IN HIS CAPACITY AS AN ANCHORAGE
POLICE OFFICER, KENNETH D. MCCOY,
INDIVIDUALLY AND IN HIS CAPACITY AS
AN ANCHORAGE POLICE OFFICER

Defendants.

Case No. 3:05-cv-00237-TMB

**OPPOSITION TO PLAINTIFF'S MOTION FOR EXTENSION OF TIME
TO FILE OPPOSITION TO MOTION FOR SUMMARY JUDGMENT**

Come now the Defendants, Municipality of Anchorage, Officer Andrew Cottle,
Officer Gregory Witte and Officer Kenneth D. McCoy ("Municipal Defendants"), by and
through counsel, the Anchorage Municipal Attorney, and hereby oppose the Plaintiff's

Motion for Extension of Time. The Plaintiff has requested an open-ended extension of time in which to oppose the Defendants' Motion for Summary judgment which was filed on December 20, 2006. (**Docket 50**).

After waiting three months for a response, the Defendants filed a Notice on March 27, 2007 that the Motion was ripe for decision. The court graciously re-sent the Motion for Summary Judgment to the Plaintiff and *sua sponte* granted an extension of time until May 10, 2007 for the Plaintiff to respond.

Plaintiff's motion reiterated earlier statements that without counsel he is unable to proceed with this case. Plaintiff has previously moved the court to provide counsel to him – a request which was denied. The Plaintiff provided evidence that he has requested the Alaska Civil Liberties Union ("AKCLU") to represent him in this matter. The AKCLU responded that it would screen his request in 2 to 4 weeks, but stated that it accepts very few cases. It appears unlikely that the AKCLU will accept the Plaintiff's case.

This court should deny the Plaintiff's request for an open-ended extension of time. If the court wishes to grant the Plaintiff an extension until the AKCLU makes a representation decision, it should set a deadline for filing an entry of appearance and/or the filing of a pro se opposition. If these deadlines are not met, the Defendants would respectfully request a ruling on the summary judgment motion.

DATED this 7th day of May, 2007.

JAMES N. REEVES
MUNICIPAL ATTORNEY

/s/ Elizabeth D. Friedman
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The undersigned hereby certifies that on 5/7/07 a true and correct copy of the *Defendants' Opposition to Motion for Extension of Time* was served on:

Patrick L. Shorty,
Anchorage Correctional Complex West
1300 East 4th Avenue
Anchorage, Alaska 99501

by first class regular mail, if noted above, or by electronic means through the ECF system as indicated on the Notice of Electronic Filing.

s/ Cathi Russell
Cathi Russell, Legal Secretary
Municipal Attorney's Office